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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of

WILLIAM P. STEARNS ET AL.

Serial No. 09/678.318 (TI-25833.1)

Filed October 3, 2000

For: OPTIMIZED CIRCUIT DESIGN LAYOUT FOR HIGH
PERFORMANCE BALL GRID ARRAY PACKAGES

Art Unit 2815

Examiner Paul E. Brock, II

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9-27-09

Jay M. Cantor, Reg. No. 19,906

Sir:

SUPPLEMENTAL REPLY BRIEF

In reply to the Supplemental Examiner's Answer, in addition to the arguments presented in the Brief on Appeal and Reply Brief, which are incorporated herein by reference, the application was remanded to the examiner for the purpose of providing a Supplemental Answer, the specific purpose of the remand being stated in the paragraph of the REMAND bridging pages 2 and 3 thereof.

As stated in the full paragraph of the REMAND, "[a] central issue on appeal is whether Ohsawa describes, within the meaning of § 102, the claim 1 requirement that 'each

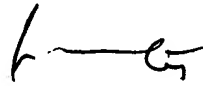
trace of each of said pair of traces being spaced from the other trace of said pair by up to a ball pitch, being maximized for identity in length and having up to one ball pitch difference in length and being maximized for parallelism and spacing”. The examiner now alleges that this has been shown in the Supplemental Examiner’s Answer. However, this is clearly not the case.

The showing is allegedly set forth in the last paragraph on page 4 of the Supplemental Examiner’s Answer where it is stated “Ohsawa discloses in figure 3j providing a plurality of pairs of traces on the surface, each trace of each of the pairs of traces extending to a different one of the ball pads and extending to ball pads on a plurality of the rows and columns, each trace of each of the pair of traces being spaced from the other trace of the pair by up to a ball pitch, being maximized for identity in length and having up to one ball pitch difference in length and being maximized for parallelism and spacing”.

As is readily apparent, there is no reference to any portion of the specification to support the allegation made in the Supplemental Examiner’s Answer and a reading of Ohsawa with reference to figure 3j nowhere mentions or in any way suggests that which the examiner has alleged. This is also the case with reference to the newly added “Explanation of figure 3j of Ohsawa”. Again, nowhere is there a reference made to the specification and particularly to the description relative to figure 3j. As to the drawings, the alleged dimensions concocted by the examiner are a figment of his imagination and not supported by the drawings. In fact, it is basic case law that the drawings in patent application are not drawn to scale even were there to be some correspondence in dimensions, which there clearly is not. It follows that the supplemental material in the Supplemental Examiner’s Answer is not supported by the disclosure of Ohsawa and has no basis in fact.

For the reasons stated above as well as for the reasons stated in the Brief on Appeal and Reply Brief, with reference to all of the appealed claims, reversal of the rejected claims is urged that justice be done in the premises.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jay M. Cantor', with a stylized flourish at the end.

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